

REMARKS

Reconsideration of the pending application is respectfully requested on the basis of the following particulars:

Rejection of claims 1-5 and 11 under 35 U.S.C. § 103(a); Allowable subject matter

Claims 1-5 and 11 presently stand rejected as being unpatentable over Japan 2002-209828 (JP '828), Japan 2002-28123 ( JP '123) or Japan 2002-65570 (JP '570) in view of either Maunsell (U.S. 6,244,277) or Casoli (U.S. 4,739,781). However, the examiner has indicated that claims 5-10 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The examiner's indication of allowable subject matter is noted with appreciation. In this regard, claim 1 has been amended to include the allowable subject matter of claim 5, and claims 5-8 have been cancelled. Therefore, it is respectfully submitted that claim 1 is now allowable as indicated by the examiner, and claims 2-4 and 9-11 are allowable at least due to their dependency from claim 1. Accordingly, withdrawal of the rejection is respectfully requested.

New claims

New claims 12-16 have been added, wherein new claim 12 corresponds to the previously presented claim 1 amended to include the subject matter of the original claim 3. Applicant notes that because new claim 12 corresponds to the original claim 3, but now written in independent form, no new issues are presented.

Claim 3 presently stands rejected, as noted above, as being unpatentable over Japan 2002-209828 (JP '828), Japan 2002-28123 ( JP '123) or Japan 2002-65570 (JP '570) in view of either Maunsell (U.S. 6,244,277) or Casoli (U.S. 4,739,781). However, it is respectfully submitted that new claim 12, which corresponds to claim 3 rewritten in independent form, is allowable for the following reasons.

The examiner has asserted, with respect to claim 3, that Japan '570 "discloses the backward extending plate," referring to a flange shown in Fig. 8 of Japan '570. However, the present invention set forth in claim 12 is directed to a dishwasher including a covering member for blocking a gap between a washer tub and a main body when the washer tub is fully extracted from the main body. The covering member includes plate members, each plate member extending **backward** from an upper part of *each side* surface of the washer tub.

The flange identified by the examiner includes a plate extending backward from a **rear portion** of the washer tub, but does not show a plate member extending **backward** from any *side* portion of the tub. Accordingly, a position on which a **rearward extending** plate member is formed according to the present invention is different from what is disclosed by Japan '570, and consequently a portion covered by the plate member of the present invention is different from Japan '570.

Applicant further notes that none of the other cited references teach or suggest a plate member extending **backward** from an upper part of *each side* portion of the tub as set forth in claim 12. Therefore, it is respectfully submitted that claim 12, and claims 13-16 which depend from claim 12, are allowable over the cited references.

#### Conclusion

Every effort has been made to place the application fully in condition for allowance, and to remove all issues raised by the Examiner in the Official Action.

In view of the amendments to the claims, and in further view of the foregoing remarks, it is respectfully submitted that the application is in condition for allowance. Accordingly, it is requested that claims 1-4 and 9-16 be allowed and the application be passed to issue.


Application No.: 10/667,424  
Examiner: F. L. Stinson  
Art Unit: 1746

If any issues remain that may be resolved by a telephone or facsimile communication with the Applicant's attorney, the Examiner is invited to contact the undersigned at the numbers shown.

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Date: June 8, 2006

Respectfully submitted,

  
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